

ERIN J. RADEKIN
Attorney at Law – SBN 214964
2012 H Street, Suite 202B
Sacramento, CA 95811
Telephone: (916) 504-3931
Facsimile: (916) 447-2988
Email: erinjradekin@gmail.com

Attorney for Defendant
ROBERT JAMES HANNA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JAMES HANNA,

Defendant.

CASE NO. 2:20-CR-00006-KJM

**STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE RE: DEFENDANT'S
MOTION PURSUANT TO 28 U.S.C. § 2255**

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under § 2255 was filed on September 8, 2022. ECF No. 41. Ms. Radekin filed a motion to amend the pro se motion with a proposed amended § 2255 motion on September 29, 2023. ECF No. 63. The government filed a motion to dismiss and opposition on October 19, 2023, ECF No. 66, and Mr. Hanna filed a reply on April 15, 2024, ECF No. 73.

2. On August 20, 2024, the Court issued an order, denying the government's motion to dismiss

1 and permitting the defendant to file his amended § 2255 motion. ECF No. 74. On August 29, 2024, the
2 Court set a briefing schedule by which the government would file its opposition within 60 days of the
3 order and the defendant's reply, if any, would be filed within 30 days of the government's opposition.
4 ECF No. 76. On October 28, 2024, the government filed its opposition. ECF No. 77. Pursuant to this
5 order, the defendant's reply is due on November 27, 2024.

6 3. Ms. Radekin has reviewed the government's opposition and intends to file a reply; however,
7 she needs additional time to do so. In the last 60 days, Ms. Radekin prepared and filed motions to
8 vacate conviction in *People v. Singh*, Alameda County case nos. H-41884 and H-46695; in *People v.*
9 *Lacsina*, San Joaquin County case nos. MAN-CR-FE-0000878 and STK-CR-FE-2010-006645; and in
10 *People v. Scott*, Nevada County case no. F19-000359D. She also prepared and filed the appellant's
11 opening brief in *People v. Kak*, Third D.C.A. case no. C099176; the reply to the government's motion
12 for summary affirmance in *United States v. Garcia*, 9th Circuit case no. 24-967; the motion to reduce
13 sentence in *United States v. Webb*, E.D. Cal. case no. 15-cr-00134; the appellant's reply brief in *People*
14 *v. Valle*, Third D.C.A. case no. C099519; and the appellant's opening brief in *People v. Wilson*, Third
15 D.C.A. case no. C099458, a case with a record exceeding 5,000 pages and raising 11 separate errors.
16 Ms. Radekin also has a long-planned vacation out of the country scheduled for December 9 through 17,
17 2024. In light of these circumstances and the upcoming holidays, Ms. Radekin respectfully requests an
18 extension of 40 days to file the reply.
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1 4. The parties have conferred and agree that a modification of the briefing schedule is warranted
2 for the above reasons. Accordingly, the parties agree to modify the briefing schedule as follows: the
3 defendant's reply to the government's opposition at ECF No. 77, is due **January 6, 2025**.

4 IT IS SO STIPULATED.

5 Dated: November 27, 2024

PHILLIP A. TALBERT
United States Attorney

6
7 /s/ Michele Beckwith
8 MICHELE BECKWITH
Assistant United States Attorney

9 Dated: November 27, 2024

10 /s/ Erin J. Radekin
ERIN J. RADEKIN
Counsel for Defendant
11 ROBERT JAMES HANNA

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13 **ORDER**

14 IT IS SO ORDERED this 6th day of December, 2024. Defendant's reply to the government's
15 opposition at ECF No. 77, is due **January 6, 2025**.

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18 UNITED STATES DISTRICT JUDGE
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